REGISTER OF
CLASSIFICATION DECISIONS

Date of entry in Register:	06 August 1997
Name of applicant/court:	Comptroller of Customs
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Untitled
Other Known Titles:	No 11 One Small Photographic Negative
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Colour Transparency
Country of Origin:	Not Stated
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:

Trailers: Running time:

Total Running time:

Excision/Alteration: No.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The colour transparency *Untitled* (also known as *No 11 One Small Photographic Negative*) is classified as:
Objectionable.

The colour transparency has been given this classification because it is considered to promote and support the use of coercion to compel a person to submit to sexual conduct. The colour transparency contains photographic images of male/female sexual activity. The activity includes fellatio and vaginal intercourse, with some close focus images of this activity. One quarter of the publication is occupied by a single image which presents a male bound with rope about his neck, torso, wrists, thighs, and penis. The male is bound to a waist-high wooden frame by the rope and appears to be pulled back against this by a female sitting behind him, bracing her legs against the frame. The bindings prohibit the male from preventing activities against him. The male appears to be suffering discomfort. The scenario is sexualised by the nudity of the male, the rope tied about his penis, and its context among other explicit images of sexual activity.

Consideration is given to s14, s5, and s6 of the New Zealand Bill of Rights Act 1990 (the NZBR Act). Due to the presentation of the use of coercion to compel persons to submit to sexual conduct, s3(2)(b) of the Films, Videos, and Publications Classification Act 1993 (the FVPC Act) is applied to this colour transparency. Section 14 of the NZBR Act is inconsistent with s3(2) of the FVPC Act, which is a deeming provision, and therefore s14 of the NZBR Act does not apply to this colour transparency.

OFLC Ref: 9502114